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9 Attorneys for Plaintiffs

10 *Defendant's Counsel Listed on the Next Page*

12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA  
14 SAN FRANCISCO DIVISION

15 CORNELIUS CLARK, CHESTER LEWIS,  
16 JOHN PONDS, AND GARRANT COSEY, on  
behalf of themselves and all other persons  
17 similarly situated,

18 Plaintiffs,

19 vs.

20 ANNA'S LINENS, INC.,

21 Defendant.

**CLASS ACTION**

Case No. C05-02670-MMC

**CORRECTED STIPULATION AND ORDER  
REGARDING EXTENSION OF CLASS  
CERTIFICATION DISCOVERY AND  
BRIEFING SCHEDULES AND STATUS  
CONFERENCE**

Hon. Maxine M. Chesney

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## **STIPULATION**

Plaintiffs Cornelius Clark, Chester Lewis, John Ponds, and Garrant Cosey (“Plaintiffs”) and Defendant Anna’s Linens, Inc. (“Anna’s Linens”) by and through their counsel of record agree that the previous deadlines approved by this Court should be revised as set forth below for the following reasons: The Parties have agreed to retain an experienced private mediator and have scheduled several days of mediation in late January and early February 2007. The extension of the deadlines as requested herein would allow the Parties to focus exclusively on preparing for mediation and attempting to settle the case and also would conserve resources that would otherwise necessarily be spent in completing discovery and preparing to meet all of the deadlines under the current schedule. The Parties, hereby stipulate and respectfully request that the Court modify, approve, and adopt the Class Certification Discovery and Briefing Schedules and Status Conference as follows:

## **Non-Expert Discovery Schedule**

Complete non-expert interrogatories and document discovery by	5/2/07
Complete non-expert depositions (e.g., Parties, Fed.R.Civ.P. 30(b)(6) deponents, witnesses and records custodians) by	5/2/07

## **Expert Discovery and Reports**

Plaintiffs to provide Fed.R.Civ.P. 26(a)(2) expert disclosures by	10/31/06
Plaintiffs' expert(s) to be made available for deposition by	3/14/07
Defendants to provide Fed.R.Civ.P. 26(a)(2) expert disclosures by	4/11/07
Defendants' expert(s) to be made available for deposition by	4/25/07
Plaintiffs to serve rebuttal expert reports by	5/9/07
Defendant to serve supplemental expert reports by	5/23/07
Expert discovery cut-off	5/23/07

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1           **Class Certification Briefing Schedule**

2       Motion for Class Certification to be filed by                   5/30/07  
3       Defendants' Opposition to Class Certification to be filed by           6/27/07  
4       Plaintiffs' Reply to be filed by                                   7/11/07  
5       Hearing on Motion for Class Certification (on or after)           7/25/07

6           **Status Conference**   **To be determined by the Court**

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8       SO STIPULATED.

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10      Dated: December 7, 2006   Respectfully submitted,

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12   /S/  
13   TERESA DEMCHAK (SB #123989)  
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29   ATTORNEYS FOR PLAINTIFFS

1 Dated: December 7, 2006

/S/

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## ORDER

The Court has considered the above Stipulation, and good cause appearing therefor, the Court modifies, approves, and hereby ORDERS the following schedule and deadlines for class certification discovery and briefing., and the status conference.

## **Non-Expert Discovery Schedule**

Complete non-expert interrogatories and document discovery by	5/2/07
Complete non-expert depositions (e.g., Parties, Fed.R.Civ.P. 30(b)(6) deponents, witnesses and records custodians) by	5/2/07

## **Expert Discovery and Reports**

10	Plaintiffs to provide Fed.R.Civ.P. 26(a)(2) expert disclosures by	10/31/06
11	Plaintiffs' expert(s) to be made available for deposition by	3/14/07
12	Defendants to provide Fed.R.Civ.P. 26(a)(2) expert disclosures by	4/11/07
13	Defendants' expert(s) to be made available for deposition by	4/25/07
14	Plaintiffs to serve rebuttal expert reports by	5/9/07
15	Defendant to serve supplemental expert reports by	5/23/07
16	Expert discovery cut-off	5/23/07

## **Class Certification Briefing Schedule**

18	Motion for Class Certification to be filed by	5/30/07
19	Defendants' Opposition to Class Certification to be filed by	6/27/07
20	Plaintiffs' Reply to be filed by	7/11/07
21	Hearing on Motion for Class Certification	Friday, 7/27/07

## Status Conference

IT IS SO ORDERED.

DATED: December 8, 2006

*Maxine M. Chesney*  
THE HONORABLE MAXINE M. CHESNEY  
UNITED STATES DISTRICT JUDGE